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EMPLOYMENT OPPORTUNITIES FOR LAW SCHOOL GRADUATES

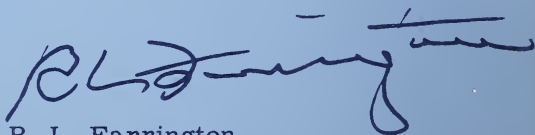
OFFICE
OF THE
GENERAL
COUNSEL



U. S. DEPARTMENT OF AGRICULTURE

FOREWORD

Many applicants for attorney positions have expressed surprise at the variety of legal work performed in the Office of the General Counsel. They have been unaware also of the employment opportunities which are available to young attorneys. This brochure is to acquaint this group, particularly, with the scope of our activities, the positions for which we are recruiting, and how to apply for them.

A handwritten signature in dark ink, appearing to read "R. L. Farrington", with a long horizontal flourish extending to the right.

R. L. Farrington
General Counsel

GENERAL

Attorneys are the legal advisers to the administrators of Department programs. They render the legal services required in the formulation and conduct of these programs and help insure maximum public benefits from laws enacted by Congress.

These services involve legal problems in many fields of law. Attorneys work most frequently in the administrative, civil, criminal, real and personal property, contract, public utilities, torts, agency, corporations, trusts, insurance, taxation, insolvency, and litigation fields of law. Some attorneys handle problems arising in corporate financing, minerals and water, and patents and trademarks. In general, the work consists of the preparation of opinions, legal memoranda, regulations, legislation, and a variety of legal instruments such as contracts, mortgages, notes, leases, bonds, deeds, and corporate forms. The lawyers also prepare briefs, participate in administrative proceedings, assist United States Attorneys in the conduct of litigation, and give counsel to officials of the Department in connection with the day-to-day administration of the Department's programs. The variety of legal work affords ample opportunity for young attorneys to gain experience in many fields of law. At the same time, the volume of work is sufficient generally to accommodate individual desires for specialization within the broader opportunities.

ORGANIZATION

Legal services in the Washington office are furnished through five functional groups--Agricultural Credit and Conservation; Commodity Credit, Production and Adjustment; Marketing and Regulatory Laws; Research and Staff Legal Services; and Appellate Litigation. There are 18 field offices located in major cities of

the United States. There follows a description of each of the functional groups in the Washington office. Most of the work of the field offices pertains to Agricultural Credit and Conservation, and Commodity Credit, Production and Adjustment. Field locations are listed on the last page.

AGRICULTURAL CREDIT AND CONSERVATION

Legal work for the Farmers Home Administration is performed by some of the attorneys in this group. The Administration makes and insures loans for the acquisition and improvement of farm real estate, for soil and water development, conservation and use, and drainage of farm land, loans for the construction of irrigation, flood prevention and drainage systems and for the cost of operating farms and for the subsistence needs of farmers. It also offers credit to farmers stricken by disaster, including credit to livestock producers in drought areas for the maintenance of basic herds.

The attorneys are confronted with problems ranging from the drafting and interpreting of Federal and State statutes and regulations thereunder through the fields of real estate titles, water law, sales, real estate and chattel mortgage law, private and municipal corporations, bond issues, taxation, trusts, insurance, probate of estates, bankruptcy, original and appellate civil procedure, torts, and criminal law. While this work is handled both in Washington and in the field, the legal work incident to most of the actual lending, servicing and collecting operations is assigned to the various field offices.

Other attorneys are assigned to the legal work arising out of the programs of the Forest Service and the Soil Conservation Service and acquisition of land by the Department. These programs include the

administration and protection of the national forests and the land utilization projects, cooperation with State and private agencies in forestry work, forestry research, soil and water conservation, watershed protection and flood prevention and the Great Plains Program. The work is handled in both the Washington and field offices.

The particular kind of work includes the preparation, review and report on proposed legislation; the preparation of legal opinions involving the study and interpretation of Federal and State laws and regulations and court decisions; the preparation and review of many types of contracts and agreements; the review of various types of investigative reports relating to claims on behalf of the Government arising out of breach of contract and trespass; the reference of such claims to the Department of Justice where court action is necessary and assistance to the United States Attorneys in the preparation of pleadings and the presentation of such cases; the procurement or preparation and review of abstracts or other evidence of title and preparation of curative requirements, title opinions, deeds and other instruments needed in consummating land acquisitions.

The legal work for the Rural Electrification Administration, a lending agency which has more than four billion dollars in outstanding loans to more than 1500 borrowers who own and operate electric and telephone systems in 46 states and Alaska and Puerto Rico, is performed by attorneys in this group. Borrowers include commercial utility companies, and cooperative and State governmental subdivisions such as cities, counties and public utility districts.

The legal work covers corporate functioning, with particular emphasis on corporate financing, municipal bond financing and the variety of problems related to the construction and operation of public utility systems,

including regulatory body proceedings before public service commissions, Federal Power Commission and Federal Communications Commission; contract negotiation in relation to construction, lease and operating agreements, joint financing arrangements, power supply and sales; taxes; insurance; and litigation. Many of the attorneys have direct contacts with lawyers in private practice, representing borrowers all over the country in connection with corporate authorizations, financing, mortgage and lien law, public utility construction and operation problems and the variety of litigation matters in which these borrowers are engaged. These contacts involve frequent visits from borrowers' attorneys to Washington and occasional travel by the attorneys of this office to all parts of the country for conferences, meetings with groups of borrowers and borrowers' attorneys and assistance in various litigation matters in order to safeguard the Government's security interests and further the objectives of the rural electrification and telephone programs.

COMMODITY CREDIT, PRODUCTION AND ADJUSTMENT

Included in this group is the staff which performs the legal work required in connection with the Department's price support, surplus removal, export, and school lunch programs. The attorneys also perform legal services for the Commodity Credit Corporation, the largest of Government corporations and one of the largest corporations in the United States, which carries out many of the foregoing, as well as other, programs in behalf of the Department.

This work embraces a wide range of legal activities arising from operations which reach into every county of the United States and into foreign fields. Problems, among others, arise out of the making of a vast number of loans to producers, cooperative associations

and others, the taking over of loan collateral, the purchase of large quantities of commodities, and the management of enormous inventories, including warehousing, the transportation both on land and sea, and the disposition of such inventories of cotton, grain and other commodities through sales into regular commercial domestic and export channels, through barter for strategic and critical materials, and through foreign and domestic aid programs. Transactions are had with almost every segment of trade and commerce.

Another staff of attorneys performs the legal services required in the administration of the Marketing Quota and Acreage Allotment programs, the Sugar program under the Sugar Act of 1948, as amended, the Crop Insurance program, and the Agricultural Conservation program.

Much of this work involves mandatory regulation of agricultural enterprises which must be conducted in strict conformity with law to be effective. Marketing quota programs, which are now in effect for cotton, wheat, tobacco, rice and peanuts, require the establishment of acreage allotments and marketing quotas for all farms producing such commodities and the collection of penalties if quotas are exceeded. The Sugar program involves the establishment of quotas and allotments of quotas for the beet and cane-growing areas of the United States, Puerto Rico, Hawaii, and Cuba and other foreign countries, and the making of conditional payments to producers in the United States and its possessions who meet prescribed standards. The Federal Crop Insurance Act authorizes the insuring of specified crops under the all-risk policy issued by the Federal Crop Insurance Corporation. The Agricultural Conservation program consists chiefly of benefit payments to farmers who perform specified conservation practices on their farms in compliance with regulations issued by the Secretary of Agriculture.

The legal work incident to the administration of the Soil Bank, authorized by the recently enacted Soil Bank Act, also is assigned to the Commodity Credit, Production and Adjustment group. The Soil Bank is a major national effort to reduce the production of surplus agricultural commodities through voluntary agreement with farmers. The Soil Bank has two parts--an acreage reserve program and a conservation reserve program. Under the acreage reserve program, farmers may enter into annual contracts under which they are paid for reducing their acreages of basic crops. Under the conservation reserve program, farmers enter into long-term contracts under which they are paid for shifting their cropland to soil, water, forest, and wildlife conservation uses.

Attorneys working in the Commodity Credit, Production and Adjustment group write formal opinions, draft legislation, prepare regulations, contracts, and a variety of legal instruments, review program proposals for legal sufficiency, act as legal counsel to administrative officials in day-to-day operations, and participate in conferences with industry representatives and their counsel. These attorneys also prepare cases for litigation and from time to time participate with United States Attorneys as Government counsel. The work involves a wide range of legal problems, including questions of statutory construction, administrative law, corporation law, and contract law, as well as those usually encountered in commercial transactions and Government operations.

Matters relating to these activities outside Washington are handled in the field offices.

MARKETING AND REGULATORY LAWS

This group of attorneys furnishes the legal assistance required in the administration of more than 50

statutory programs of a regulatory nature. They include the regulation of meat packers and stockyards and persons conducting livestock transactions thereon; the handling of milk, fruits, and vegetables in interstate commerce; commodity exchanges and persons engaged in trading thereon for themselves or others; and interstate transactions in and movements of grains, seeds, meats, insecticides, fungicides, viruses, serums, toxins, livestock, plants, and other items under various other statutes.

Administration of these programs requires proceedings within every category of proceeding dealt with under the Administrative Procedure Act. Examples of these proceedings are: (1) reparation proceedings, involving all phases of law encountered in civil actions re business transactions, in which the Department is in a quasi-judicial position, with the attorneys of the office acting as presiding officers in the proceedings and preparing the decisions; (2) formal rule-making proceedings, including promulgation actions with respect to marketing orders controlling the marketing of milk and other agricultural commodities; rate proceedings prescribing rates for stockyard services, and the establishment of interstate and foreign quarantines; (3) proceedings under various trade practice regulatory programs for the issuance of cease and desist orders and suspension or revocation of licenses in which the attorneys of the office perform the functions of prosecuting attorneys with respect to violations of the statutory restrictions; (4) informal rule-making with respect to the issuance of regulations involving the analysis of factual submissions and drafting of regulations; and (5) formal proceedings for the adjudication of controversy with respect to provisions of regulatory programs. Statutes establishing these programs, in addition to administrative proceedings, provide for civil and criminal enforcement actions. Some attorneys in the group represent, on behalf of the Secretary of Agriculture,

the interests of the agricultural community before regulatory bodies, including the Interstate Commerce Commission, with respect to rates and practices affecting transportation of agricultural commodities.

Attorneys working in the Marketing and Regulatory group, depending upon the type of administrative proceeding, may act as presiding officers or as prosecuting attorneys. They prepare pleadings and briefs, cooperate with United States Attorneys in the trial of criminal proceedings, and represent the Government in many instances in the trial of civil proceedings. There is need for frequent advisory legal opinions for the guidance of administrative officials of the Department and a substantial amount of drafting of amendatory legislation and rules and regulations.

RESEARCH AND STAFF LEGAL SERVICES

This group of attorneys performs the legal work connected with the management of the Department of Agriculture as an agency within the Executive Branch of the Federal government, somewhat like "house counsel" for a large corporation. For example, these attorneys perform the general legal work incident to the financial management of the Department, which in Government circles emphasizes the appropriation of money and the preparing of the budget to submit to Congress for funds. Other management problems include those involving real estate and other property, contracts for purchase of supplies and equipment, and construction of buildings and facilities. Also assigned to this group are all legal problems arising in the hiring of employees and the administration of laws relating to their rights and duties; the analysis of investigation reports to determine criminal violations by personnel which should be prosecuted; legal services in connection with the research program of

the Department, including research contracts; legal aid to farmers' cooperatives; and the adjustment of claims against the Department for property damage and personal injury arising from the Department's activities.

This area of legal work includes the general programs of the Agricultural Research Service, the Federal Extension Service, and the Farmer Cooperative Service.

The work of the attorneys in this group brings them into daily contact with administrative officials dealing in affairs of the Department. They prepare legal opinions, draft statutes and regulations, review contracts and recommend or decide tort claim settlements. In many instances the problems which arise involve personnel and financial law which is unique to the Federal Government. Certain attorneys represent the Department and its employees before the Patent Office, and in the courts on appeals from decisions of the Patent Office, in connection with Patent and Trademark matters.

APPELLATE LITIGATION

Assigned to this group is the responsibility for the preparation and conduct of all litigation in the appellate stage with respect to the statutes and Executive orders administered by the Department of Agriculture. In some cases, the Department is authorized to handle its litigation in the appellate courts, and in other cases the attorneys in the Department work with the Department of Justice in the conduct of the cases on appeal. The cases decided by appellate courts are of significance to the Department's programs, and the outcome of litigation may have wide-ranging impact on the future course of a program being administered by the Department.

Briefs are drafted and oral arguments are submitted in the appellate courts. In addition, the attorneys participate in the other work incident to the handling of litigation in the appellate courts.

APPOINTMENT AND PROMOTION POLICY

The Office, within the limits of available funds, conducts a continuing recruitment program for promising attorneys to replace attorneys moving upward or those leaving the office. The policy generally is to employ recent law school graduates and to develop their legal talents through on-the-job training. A few appointments may be made at General Schedule Grade 5, but the majority of appointments are at the GS-7 level. An accredited law school graduate whose admission to the bar is pending may be appointed temporarily as a law clerk.

The first year of employment is considered a trial period. Every effort is made to orient the new attorney in the work of the office and to help him make any adjustments which may be necessary. Assistance is available from more experienced attorneys, but individual initiative is expected and rewarded. Assignments become increasingly difficult and more responsibility is given as the new attorney gains experience and demonstrates his ability to perform more responsible work. Periodically his performance is evaluated and discussed with him.

Shortly before expiration of the first year a detailed evaluation report is made to the General Counsel. If progress has been satisfactory, a GS-7 attorney is eligible for promotion to Grade GS-9, upon completion of one year as an attorney. He is considered for promotion to Grade GS-11 upon completion of two years as an attorney. Further advancement depends upon the attorney's ability to assume more responsible

assignments and available openings within the higher grades. The general rule is two years in Grade GS-11 before consideration for promotion to the next higher grade. All promotions depend, of course, upon the availability of funds.

An excerpt from the Federal salary schedule is on the inside of the back cover.

BENEFITS OF FEDERAL EMPLOYMENT

Persons considering Federal employment should bear in mind the liberal benefits received by Federal employees, such as:

1. Paid vacations--13 work days a year for the first three years of service; 20 days a year for three to 15 years of service; and 26 days a year after 15 years' service. Previous Federal civilian and military service count toward completion of the service requirement.
2. Sick leave--13 work days a year, with no limit as to the amount which may be accumulated.
3. Retirement--An employer-employee contributory system. The employee contributes 6-1/2 of his salary. These deductions may be withdrawn when the employee leaves the Federal service or he may leave them in the Retirement Fund and receive an annuity upon reaching the appropriate age, if he has completed five years of creditable civilian service.
4. Incentive awards--Cash awards are given for money-saving suggestions, work improvements, or superior work performance.
5. Life insurance--Low-cost group life insurance at the rate of 25 cents per thousand dollars of insurance every two weeks through payroll

deductions. The amount of insurance which may be purchased is the next thousand above the employee's annual salary. Thus, a \$4,525 per year employee receives \$5,000 worth of insurance for \$1.25 every two weeks.

HOW TO OBTAIN APPLICATION FORMS

A formal application consists of a Standard Form 57 and a supplemental form developed by the Office of the General Counsel. There is no written examination, but personal interviews with top staff members, either in Washington or at a field office, are required. A suitability inquiry is conducted prior to offer of appointment. Appropriate credit is allowed applicants who are entitled to veteran preference.

Application forms and additional information will be furnished upon request. Applicants may write to the Executive Assistant to the General Counsel, Office of the General Counsel, U. S. Department of Agriculture, Washington 25, D. C.

Graduates who plan to visit Washington are urged to arrange for personal interviews in advance of their arrival in the city.

FIELD LOCATIONS

Arkansas, Little Rock	New Mexico, Albuquerque
California, Los Angeles	New York, New York
San Francisco	North Carolina, Raleigh
Colorado, Denver	Oklahoma, Stillwater
Georgia, Atlanta	Oregon, Portland
Illinois, Chicago	Pennsylvania, Harrisburg
Minnesota, St. Paul	Texas, Dallas
Missouri, Kansas City	Utah, Ogden
Montana, Missoula	Wisconsin, Milwaukee

